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## FAX COVER LETTER

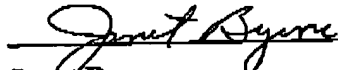
November 29, 2005

TO: Examiner Kirsten Apple  
COMPANY: U.S. Patent and Trademark Office – Art Unit 3628  
PHONE: 571.272.5588  
FAX: 571.273.8300

FROM: Rudolph P. Hofmann  
DIRECT DIAL: (612) 607-7340  
EMAIL: RHofmann@oppenheimer.com  
RE: U.S. Patent Application 09/704,838  
Our File No. 60021-375901

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that an Amendment and Response to Final Office Action is being facsimile transmitted on the date shown below, to Mail Stop RCE, U.S. Patent and Trademark Office.

  
Janet Byrne

11-29-05  
Date

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Completed by: Janet Byrne/7401

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PTO/SB/30 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/704,838
	Filing date	November 1, 2000
	First Named Inventor	Ronald E. Sloan
	Art Unit	3628
	Examiner Name	K.S. Apple
	Attorney Docket Number	60021-375901

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR 1.114**

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on October 28, 2005.  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- b. ☐ Enclosed
- i. ☐ Amendment(s)/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_ and Returned Postcard.

**2. Miscellaneous**


- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103© for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. 790.00 DA
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1901.
- i. ☒ RCE fee required under 37 CFR 1.17(e) - \$790 (Large entity).
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) - \$120 (Large entity).
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Rudolph P. Hofmann	Registration No. (Attorney/Agent)	38,187
Signature		Date:	November 29, 2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MS RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Janet Byrne	Date:	November 29, 2005
Signature			


NOV 29 2005

FEE TRANSMITTAL		Complete if Known	
for FY 2005		Application Number	09/704,838
Patent fees are subject to annual revision.		Filing Date	November 1, 2000
<input type="checkbox"/> Applicant Claims Small Entity		First Named Inventor	Ronald E. Sloan
TOTAL AMOUNT OF PAYMENT \$910.00		Examiner Name	K.S. Apple
		Group Art Unit	3628
		Attorney Docket No.:	60021-375901

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																																																													
1. <input checked="" type="checkbox"/> Authorized to charge indicated fees or credit  Deposit Acct No. <b>50-1901</b> Name: <b>Oppenheimer Wolff &amp; Donnelly LLP</b>  <input checked="" type="checkbox"/> Charge Any Add'l Fee Required Under 37 CFR 1.16 and 1.17		4. ADDITIONAL FEES  <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>26</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>Filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1840*</td><td>Requesting publication of SIR after Examiner action</td><td>\$120.00</td></tr> <tr><td>1251</td><td>120</td><td>2251</td><td>60</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>450</td><td>2252</td><td>225</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>1020</td><td>2253</td><td>510</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,590</td><td>2254</td><td>795</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,160</td><td>2255</td><td>1,080</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>500</td><td>2401</td><td>250</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>500</td><td>2402</td><td>250</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>1,000</td><td>2403</td><td>500</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>500</td><td>2452</td><td>250</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,500</td><td>2453</td><td>750</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,400</td><td>2501</td><td>700</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>800</td><td>2502</td><td>400</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>1,100</td><td>2503</td><td>550</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>130</td><td>1807</td><td>130</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (Times number of properties)</td><td></td></tr> <tr><td>1809</td><td>790</td><td>2809</td><td>395</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>790</td><td>2810</td><td>395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td>\$790.00</td></tr> <tr><td>1801</td><td>790</td><td>2801</td><td>395</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>Other fee (specify)</td><td></td></tr> <tr> <td colspan="2" style="text-align: right;">SUBTOTAL (4)</td> <td colspan="2"></td> <td></td> <td>\$910.00</td> </tr> </tbody> </table>				Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - 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SUBMITTED BY		Complete if applicable	
Name	Rudolph P. Hofmann	38,167	Telephone: 612-607-7340
Signature		Date:	11-29-05

\*Includes: Filing fee + Examination fee + Search fee